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PATENT APPLICATION

ATTORNEY DOCKET NO. ___**10012696-1**___

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Hoover, et al.	Confirmation No.: 8428
Application No.: 10/053,673	Examiner: Pokrzywa, Joseph
Filing Date: 1-24-02	Group Art Unit: 2625

Title: System and Method for Mobile Printing From A Desktop Operating System Using a Portable Computing Device

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TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on ___July 20, 2006___.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month $120	☐ 2nd Month $450	☐ 3rd Month $1020	☐ 4th Month $1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of ___$ 500___. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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Rev 10/05 (AplBrief)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Hoover, et al.

Serial No.: 10/053,673

Filed: January 24, 2002

Group Art Unit: 2625

Examiner: Pokrzywa, Joseph

Docket No. 10012696-1

For: **System and Method for Mobile Printing From A Desktop Operating System Using a Portable Computing Device**

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. § 41.37 is submitted in support of the Notice of Appeal filed July 20, 2006, responding to the Final Office Action mailed April 6, 2006.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

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I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 10-15, 18, 27-53, 63-66, 69, 70, 73-92, and 99-101 have been canceled leaving claims 1-9, 16, 17, 19-26, 54-62, 67, 68, 71, 72, and 93-98 remaining. Each of those claims stand finally rejected. No claims have been allowed. The final rejections of claims 1-9, 16, 17, 19-26, 54-62, 67, 68, 71, 72, and 93-98 are appealed.

IV. Status of Amendments

This application was originally filed on January 24, 2002, with one hundred one (101) claims. In a Response filed January 4, 2006, Applicant amended claims 1, 2, 4-9, 16, 17, 19-26, 54, 55, 57-62, 67, 68, 71, 72, 93, 97, and 98.

All of the above-identified amendments have been entered and no other amendments have been made. The claims in the attached Claims Appendix (see below) reflect the present state of those claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Independent claim 1 describes a method for mobile printing. The method comprises creating print data on a client computer. *Applicant's specification*, page 15, lines 22-24. The method of claim 1 further comprises transferring the print data from the client computer to an On-the-Go Print Queue on the Internet for storage. *Applicant's specification*, page 16, lines 20-22. The method of claim 1 further comprises recording a reference to the On-the-Go Print Queue on a portable computing device connected to the client computer. *Applicant's specification*, page 16, lines 22-24. The method of claim 1 further comprises connecting the portable computing device to a printer having Internet access capability and programmed to read references from portable computing devices. *Applicant's specification*, page 17, lines 12-17. The method of claim 1 further comprises reading with the printer the reference to the On-the-Go Print Queue from the portable computing device. *Applicant's specification*, page 17, lines 12-17. The method of claim 1 further comprises accessing the On-the-Go Print Queue with the printer. *Applicant's specification*, page 19, lines 12-14. The method of claim 1 further comprises receiving with the printer the print data stored on the On-the-Go Print Queue. *Applicant's*

specification, page 20, lines 27-28. The method of claim 1 further comprises printing the print data on the printer. *Applicant's specification*, page 16-17.

Independent claim 54 describes a program product for mobile printing. The program product comprises code for transferring print data to an On-the-Go Print Queue on the Internet for storage. *Applicant's specification*, page 16, lines 20-22. The program product of claim 54 further comprises code for recording a reference to the On-the-Go Print Queue on a portable computing device. *Applicant's specification*, page 16, lines 22-24. The program product of claim 54 further comprises code for reading with a printer the reference to the On-the-Go Print Queue from the portable computing device. *Applicant's specification*, page 17, lines 12-17. The program product of claim 54 further comprises code for accessing the On-the-Go Print Queue with the printer. *Applicant's specification*, page 19, lines 12-14. The program product of claim 54 further comprises code for receiving with the printer the print data stored on the On-the-Go Print Queue to enable printing of the print data on the printer. *Applicant's specification*, page 20, lines 27-28.

Independent claim 93 describes a printer (820, Figure 8) for facilitating mobile computing. The printer comprises a component (850, Figure 8) for accessing the Internet. *Applicant's specification*, page 18, paragraph 0091. The printer of claim 93 further comprises structure (840, Figure 8) for reading a smart card and obtaining from the smart card a reference to an On-the-Go print queue on the Internet. *Applicant's specification*, page 18, paragraph 0091. The printer of claim 93 further comprises a component (850, Figure 8) for accessing the On-the-Go print queue and downloading therefrom print data. *Applicant's specification*, page 18, paragraph 0091. The printer of claim 93 further comprises structure (860, Figure 8) for printing the print data. *Applicant's specification*, page 18, paragraph 0091.

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VI. <u>Grounds of Rejection to be Reviewed on Appeal</u>

The following grounds of rejection are to be reviewed on appeal:

1.   Claims 1-9, 24-26, 54-62, 71, 72, and 93-96 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Mazzagatte, et al.* (U.S. Pat. No. 6,862,583).

2.   Claims 1-4, 8, 9, 16, 17, 19-26, 54-57, 61, 62, 67, 68, 71, 72, 93, 97, and 98 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Matsubayashi, et al.* (U.S. Pub. No. 2003/10093670).

VII. <u>Arguments</u>

The Appellant respectfully submits that Applicant's claims are not anticipated under 35 U.S.C. § 102 and respectfully requests that the Board of Patent Appeals overturn the final rejections of those claims at least for the reasons discussed below.

Claim Rejections - 35 U.S.C. § 102(e)

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the applied references. Applicant discusses the references and Applicant's claims in the following.

A.   Rejections Under Mazzagatte

Claims 1-9, 24-26, 54-62, 71, 72, and 93-96 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Mazzagatte, et al.* (U.S. Pat. No. 6,862,583). Applicant respectfully traverses this rejection.

1.   The Mazzagatte Reference

Mazzagatte describes a system and method for authenticated secure printing. *Mazzagatte*, Patent Title. In Mazzagatte's method, a sender submits a print job along with a unique identification information that *identifies the person who is the intended recipient* of the job. *Mazzagatte*, column 8, lines 19-22. The print job is then received by a "print node," which can comprise a printer or a gateway (e.g., server) to one or more printers. *Mazzagatte*, column 7, lines 39-41; column 8, lines 62-63. Upon receiving the data, the print node processes the print data (e.g., encrypts the print data) and waits for the intended recipient to arrive at the printer and present proper authentication information in order to retrieve the print job and have it printed. *Mazzagatte*, column 9, lines 8-10; lines 32-35.

2. Applicant's Claims

a. Claims 1-9 and 24-26

Independent claim 1 provides as follows (emphasis added):

1. A method for mobile printing, comprising:

creating print data on a client computer;

transferring the print data from the client computer to an On-the-Go Print Queue on the Internet for storage;

recording a reference to the On-the-Go Print Queue on a portable computing device connected to the client computer;

connecting the portable computing device to a printer having Internet access capability and programmed to read references from portable computing devices;

reading with the printer the reference to the On-the-Go Print Queue from the portable computing device;

accessing the On-the-Go Print Queue with the printer;

receiving with the printer the print data stored on the On-the-Go Print Queue; and

printing the print data on the printer.

(i) Recording a "Reference to" a Print Queue on a Portable Computing Device

As a first matter regarding claim 1, Mazzagatte does not teach "recording a reference to the On-the-Go Print Queue on a portable computing device" such as a smart card. Instead, Mazzagatte only describes "unique identification information of the *intended recipient*" being stored on the smart card that is used to authenticate the person presenting the smart card as being the "intended recipient." *See Mazzagatte*, column 8, lines 14-16. *Nowhere* does Mazzagatte

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state that the a "reference" to any "print queue" is recorded or resident on Mazzagatte's smart card.

In the Advisory Action, the Examiner agreed with Applicant's above statements. *Advisory Action*, page 2. The Examiner argued, however, that Mazzagatte still teaches recording a reference to a print queue in column 10, lines 13-24. That portion of the Mazzagatte reference provides as follows:

> Once the intended recipient is authenticated, the printer then determines whether there are any print jobs queued for the intended recipient (step S605). In this process, the printer again utilizes the unique identification information of the intended recipient. The printer utilizes the information presented by the smart-card and compares it to the identification information stored in the print queue. If the printer determines that print jobs are queued for the intended recipient, the printout process continues. If however, the printer determines that no print jobs are queued for the intended recipient, then the recipient is notified that no print jobs are queued (step S606). Means similar to the above described means may be used for such notification.

Mazzagatte, column 10, lines 12-24. As can be appreciated from the above excerpt, Mazzagatte does not actually teach recording a "reference to" a print queue on a portable computing device. Instead, Mazzagatte only speaks of comparing the user identification information to information *contained in* Mazzagatte's print queue. Nowhere in the above excerpt does Mazzagatte discuss a "reference to" a print queue or that the "reference" is "recorded" Mazzagatte's portable printing device. Accordingly, Applicant maintains that Mazzagatte does not teach "recording a reference to the On-the-Go Print Queue on a portable computing device" as required by Applicant's claim 1.

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Furthermore, Applicant notes that, contrary to that argued by the Examiner, the "unique identification information" is not used "for referencing the print queue" in Mazzagatte's system. Although that information is used to look up information in the print queue, it is not used as a "reference to" the print queue.

As a further point, Applicant notes that the Examiner's interpretation of a "reference to" a print queue is contrary to the plain and ordinary meaning of the phrase and Applicant's specification. Regarding the plain and ordinary meaning of "reference to", Merriam Webster's Online Dictionary defines "reference" as:

3 : something that refers : as a : ALLUSION, MENTION b : something (as a sign or indication) that refers a reader or consulter to another source of information (as a book or passage) c : consultation of sources of information

Clearly, Mazzagatte's user identification information, although used to look up information in the print queue, is not an "allusion to" the print queue itself and does not refer one to another source of information. In other words a "reference to" a source actually identifies the source itself, not information that can be found in the source. By way of example, a list of references provided in the appendix of a document "refers to" sources that were relied upon in preparing the document by identifying the sources themselves by title, publication, and publication date.

As for Applicant's specification, Applicant notes that it is well established in the law that claim terms are to be *interpreted in light of the specification. Markman v. Westview Instruments, Inc.,* 52 F.3d 967, 34 USPQ2d 1321 (Fed. Cir. 1995)(in banc), *aff'd,* 517 U.S. 370, 38 USPQ2d 1461 (1996) ("Claims must be read in view of the specification, of which they are a part"). Applicant's specification clearly attaches a meaning to the phrase "reference to" a print queue that is consistent with the above dictionary definition. Therefore, when the phrase is correctly

interpreted in view of Applicant's specification, it is clear that Mazzagatte does not teach recording a reference to a print queue on a portable computing device.

Applicant notes as a final matter that it is unclear how Mazzagatte's printer knows where the print queue is because Mazzagatte leaves that detail out of his disclosure. Perhaps the user manually identifies the location of the print queue to the printer using a front panel of the printer. Alternatively, the printer may be assigned to the print queue and therefore automatically consults it when user identification information is provided. Regardless, however, the fact remains that Mazzagatte fails to describe storing a reference to a print queue on Mazzagatte's smart card. It therefore follows that Mazzagatte cannot be said to anticipate that limitation of claim 1.

(ii) Connecting the Portable Computing Device to a Printer Programmed to Read References from Portable Computing Devices

Mazzagatte further does not teach connecting a portable computing device, such as a smart card, to a printer that is "programmed to read references" from the device, the "reference" being the reference to the print queue (the "On-the-Go Print Queue"). Again, nothing in Mazzagatte's system records a *reference to* a print queue on a portable computing device and Mazzagatte's printer is only described as being programmed to read "unique identification information of the intended recipient" from a smart card. *Mazzagatte*, column 8, lines 14-20.

(iii) Reading with the Printer the Reference to the Print Queue from the Portable Computing Device

Mazzagatte also does not teach "reading with the printer the reference to the On-the-Go Print Queue from the portable computing device". Again, Mazzagatte's printer is only described as reading "unique identification information of the intended recipient" from a smart card to

authenticate the person presenting the smart card as being the "intended recipient." *Mazzagatte*, column 8, lines 14-20.

(iv) Dependent Claims

Applicant notes that several of Applicant's dependent claims contain limitations that are not anticipated by Mazzagatte.

Regarding dependent claim 2, Mazzagatte does not teach accessing a print queue "to set at least one storage or print parameter". Applicant notes that the Examiner justifies the rejection of claim 2 by citing "column 9, line 42-column 10, line 56" of the Mazzagatte reference without specifically identifying where in that portion of Mazzagatte's disclosure such a teaching is contained. Applicant has reviewed that portion of Mazzagatte's disclosure and can find no teaching of accessing a print queue to set at least one storage or print parameter.

Regarding dependent claim 3, Mazzagatte does not teach that setting a storage or print parameter is "ordering or deletion of print jobs". Again, column 9, line 42-column 10, line 56 identified by the Examiner says nothing of such ordering or deletion. Instead, that portion of the Mazzagatte reference only discusses receiving and printing print data stored in the print queue.

Regarding dependent claim 8, Mazzagatte does not teach "displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue". Regarding that limitation, Applicant notes that the Examiner justifies the rejection of by again citing "column 9, line 42-column 10, line 56" without specifically identifying where in that portion of Mazzagatte's disclosure such a teaching is contained. Applicant has reviewed that portion of Mazzagatte's disclosure and can find no teaching of displaying a message to the user if print data was successfully submitted to a print queue. Indeed, that portion of the Mazzagatte disclosure is

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silent about the process of submitting print data to a print queue. Instead, the portion of the Mazzagatte disclosure discusses the print process *after* print data is resident in the print queue.

Regarding dependent claim 24, Mazzagatte does not teach "providing a security ID that is separate from the portable computing device to the On-the-Go Print Queue to obtain access thereto". Applicant notes that the Examiner justifies the rejection of by again citing "column 9, line 42-column 10, line 56" without specifically identifying where in that portion of Mazzagatte's disclosure such a teaching is contained. Applicant has reviewed that portion of Mazzagatte's disclosure and can find no teaching of providing a security ID that is separate from the portable computing device to a print queue to access the print queue.

Regarding dependent claims 25 and 26, Mazzagatte does not teach "providing proof of printer authenticity to the On-the-Go Print Queue prior to the printer receiving the print data" or "validating the identity of a printer prior to the printer receiving the print data". Applicant notes that the Examiner justifies the rejection of by again citing "column 9, line 42-column 10, line 56" without specifically identifying where in that portion of Mazzagatte's disclosure such teachings are contained. Applicant has reviewed that portion of Mazzagatte's disclosure and can find no teaching of either providing proof of printer authenticity or validating the identity of the printer.

b.   Claims 54-62, 71, and 72

Independent claim 54 provides as follows (emphasis added):

54.   A program product for mobile printing stored on computer-readable media, the program product comprising machine-readable program code for:

transferring print data to an On-the-Go Print Queue on the Internet for storage;

recording a reference to the On-the-Go Print Queue on a portable computing device;

reading with a printer the reference to the On-the-Go Print Queue from the portable computing device;

accessing the On-the-Go Print Queue with the printer; and

receiving with the printer the print data stored on the On-the-Go Print Queue to enable printing of the print data on the printer.

Regarding claim 54, Mazzagatte does not teach either "recording a reference to the On-the-Go Print Queue on a portable computing device" or *"reading with a printer the reference to the On-the-Go Print Queue from the portable computing device"* for reasons described above in relation to claim 54. Again, Mazzagatte only describes "unique identification information of the *intended recipient"* being stored on the smart card that is used to authenticate the person presenting the smart card as being the "intended recipient." *See Mazzagatte*, column 8, lines 14-16. *Nowhere* does Mazzagatte state that the a "reference to" any "print queue" is recorded or resident on Mazzagatte's smart card.

For at least the above reasons, claims 54-62, 71, and 72 are allowable over Mazzagatte.

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Regarding dependent claim 55, Mazzagatte does not teach "code for accessing the On-the-Go Print Queue to set at least one storage or print parameter" for reasons described above in relation to claim 2.

Regarding dependent claim 56, Mazzagatte does not teach "wherein the parameter is the ordering or deletion of print jobs" for reasons described above in relation to claim 3.

Regarding dependent claim 61, Mazzagatte does not teach "code for displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue" for reasons described above in relation to claim 8.

Regarding dependent claims 71 and 72, Mazzagatte does not teach "code for providing proof of printer authenticity to the On-the-Go Print Queue" or "code for validating the identity of a printer" for reasons described above in relation to claims 25 and 26.

c.   Claims 93-96

Independent claim 93 provides as follows (emphasis added):

> 93. .   A *printer* for facilitating mobile computing, comprising:
> a component for accessing the Internet;
> *structure for reading a smart card and obtaining from the smart card a reference to an On-the-Go print queue on the Internet*;
> a component for accessing the On-the-Go print queue and downloading therefrom print data; and
> structure for printing the print data.

Regarding claim 93, Mazzagatte does not teach a printer comprising "structure for reading a smart card and obtaining from the smart card a reference to an On-the-Go print queue on the Internet". Again, Mazzagatte only describes "unique identification information of the

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intended recipient" being stored on the smart card that is used to authenticate the person presenting the smart card as being the "intended recipient." *See Mazzagatte*, column 8, lines 14-16. *Nowhere* does Mazzagatte state that the a "reference to" any "print queue" is recorded or resident on Mazzagatte's smart card.

For at least the above reasons, claims 54-62, 71, and 72 are allowable over Mazzagatte.

B.   Rejections Under Matsubayashi

Claims 1-4, 8, 9, 16, 17, 19-26, 54-57, 61, 62, 67, 68, 71, 72, 93, 97, and 98 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Matsubayashi, et al.* (U.S. Pub. No. 2003/10093670). Applicant respectfully traverses this rejection.

1.   The Matsubayashi Reference

Matsubayashi describes a system and method for authenticated secure printing that is very similar to that described in the Mazzagatte reference described above. This is because Mazzagatte is listed as an inventor for the Matsubayashi reference. In view of the similarities between the references, a detailed discussion of the system and method described in the Matsubayashi reference will not be provided and reference is made back to the description of the system and method of the Mazzagatte reference.

a.   Claims 1-4, 8, 9, 16, 17, and 19-26

Beginning with independent claim 1, which was reproduced above, Matsubayashi does not teach "recording a reference to the On-the-Go Print Queue on a portable computing device", connecting a portable computing device, such as a smart card, to a printer that is "programmed to

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read references" from the device, or "reading with the printer the reference to the On-the-Go Print Queue from the portable computing device". Similar to the method described in the Mazzagatte reference, the method described in the Matsubayashi reference comprises storing "unique identification information" on a smart card and reading the "unique identification information" of the intended recipient from the smart card with a printer to authenticate the person presenting the smart card as being the intended recipient. *See Matsubayashi*, paragraph 106. Nowhere, however, does Matsubayashi state that the smart card comprises a "reference to" a print queue. As in the Mazzagatte reference, Matsubayashi does not explain how the printer knows where the print queue is. Regardless, the fact remains that Matsubayashi fails to describe storing a reference to a print queue on and therefore cannot be said to anticipate that limitation.

Regarding dependent claim 2, Matsubayashi does not teach accessing a print queue "to set at least one storage or print parameter". Applicant notes that the Examiner justifies the rejection of claim 2 by citing "paragraphs 0108-0111" without specifically identifying where in that portion of Matsubayashi's disclosure such a teaching is contained. Applicant has reviewed that portion of Matsubayashi's disclosure and can find no teaching of accessing a print queue to set at least one storage or print parameter.

Regarding dependent claim 3, Matsubayashi does not teach that setting a storage or print parameter is "ordering or deletion of print jobs". Applicant notes that the Examiner justifies the rejection of claim 3 by citing "paragraphs 0085-0094" without specifically identifying where in that portion of Matsubayashi's disclosure such a teaching is contained. Applicant has reviewed that portion of Matsubayashi's disclosure and can find no teaching of a printer ordering or deleting print jobs.

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Regarding dependent claim 8, Matsubayashi does not teach "displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue". Regarding that limitation, Applicant notes that the Examiner justifies the rejection of by again citing "paragraphs 0134-0138" without specifically identifying where in that portion of Matsubayashi's disclosure such a teaching is contained. Applicant has reviewed that portion of Matsubayashi's disclosure and can find no teaching of displaying a message to the user if print data was successfully submitted to a print queue. Instead, that portion of the Matsubayashi disclosure discusses a user selecting a print job with a printer, not sending a print job *to* a print queue.

Regarding dependent claim 20, Matsubayashi does not teach "deleting a print job from the On-the-Go Print Queue with the printer front panel display". Paragraphs -134-0138 of the Matsubayashi reference, identified by the Examiner, only discuss *selecting* print jobs, not deleting them.

Regarding dependent claim 21, Matsubayashi does not teach "displaying account information on the cost of printing the print job on the printer front panel display". Although paragraphs 0141-0142 discuss billing a user, those paragraphs say *nothing* of "displaying account information" on the "front panel display" of the printer.

Regarding dependent claim 23, Matsubayashi does not teach an accounting system computing "a split of any proceeds from the billing/debiting among at least two other parties". Paragraphs 0141-0142, identified by the Examiner, are silent as to such a splitting arrangement.

Regarding dependent claim 24, Matsubayashi does not teach "providing a security ID that is separate from the portable computing device to the On-the-Go Print Queue to obtain access thereto". Applicant notes that the Examiner justifies the rejection of by again citing "paragraphs 0085-0094" without specifically identifying where in that portion of Matsubayashi's

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disclosure such a teaching is contained. Applicant has reviewed that portion of Matsubayashi's disclosure and can find no teaching of providing a security ID that is separate from the portable computing device to a print queue to access the print queue.

Regarding dependent claims 25 and 26, Matsubayashi does not teach "providing proof of printer authenticity to the On-the-Go Print Queue prior to the printer receiving the print data" or "validating the identity of a printer prior to the printer receiving the print data". Applicant notes that the Examiner justifies the rejection of by again citing "paragraphs 0085-0094" without specifically identifying where in that portion of Matsubayashi's disclosure such teachings are contained. Applicant has reviewed that portion of Matsubayashi's disclosure and can find no teaching of either providing proof of printer authenticity or validating the identity of the printer.

b.   Claims 54-57, 61, 62, 67, 68, 71, and 72

Turning to independent claim 54, which was reproduced above, Matsubayashi does not teach a program product comprising code for "recording a reference to the On-the-Go Print Queue on a portable computing device" or "reading with a printer the reference to the On-the-Go Print Queue from the portable computing device" at least for reasons described above in relation to claim 1. Again, Matsubayashi's printer only reads "unique identification information" from a smart card to authenticate the person presenting the smart card as being the "intended recipient." *Matsubayashi*, paragraph 106. Matsubayashi, like Mazzagatte, is silent as to how the printer knows where the "print node" that stores the print data is. For at least that reason, claim 54 and its dependents are allowable over the Matsubayashi reference.

Regarding dependent claim 55, Matsubayashi does not teach "code for accessing the On-the-Go Print Queue to set at least one storage or print parameter" for reasons described above in relation to claim 2.

Regarding dependent claim 56, Matsubayashi does not teach "wherein the parameter is the ordering or deletion of print jobs" for reasons described above in relation to claim 3.

Regarding dependent claim 61, Matsubayashi does not teach "code for displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue" for reasons described above in relation to claim 8.

Regarding dependent claims 71 and 72, Matsubayashi does not teach "code for providing proof of printer authenticity to the On-the-Go Print Queue" or "code for validating the identity of a printer" for reasons described above in relation to claims 25 and 26.
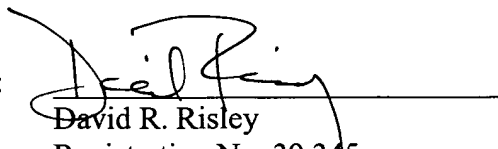
c. Claims 93, 97, and 98

Referring to independent claim 93, which was reproduced above, Matsubayashi does not teach a printer comprising structure for reading a smart card and "obtaining from the smart card a reference to an On-the-Go print queue on the Internet". Again, Matsubayashi's printer only reads "unique identification information" from a smart card to authenticate the person presenting the smart card as being the "intended recipient. *Matsubayashi*, paragraph 106. Matsubayashi is silent as to how the printer knows where the "print node" that stores the print data is. For at least that reason, claim 93 and its dependents are allowable over the Matsubayashi reference.

VIII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

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The following are the claims that are involved in this Appeal.

1. A method for mobile printing, comprising:

creating print data on a client computer;

transferring the print data from the client computer to an On-the-Go Print Queue on the Internet for storage;

recording a reference to the On-the-Go Print Queue on a portable computing device connected to the client computer;

connecting the portable computing device to a printer having Internet access capability and programmed to read references from portable computing devices;

reading with the printer the reference to the On-the-Go Print Queue from the portable computing device;

accessing the On-the-Go Print Queue with the printer;

receiving with the printer the print data stored on the On-the-Go Print Queue; and

printing the print data on the printer.

2. A method as defined in claim 1, further comprising accessing the On-the-Go Print Queue to set at least one storage or print parameter.

3. (Original) A method as defined in claim 2, wherein the parameter is the ordering or deletion of print jobs.

4.   A method as defined in claim 1, further comprising converting the print data to generic print data; and

wherein the transferring comprises transferring the generic print data to the On-the-Go Print Queue.

5.   A method as defined in claim 1, further comprising encrypting the print data; and

wherein the transferring comprises transferring the encrypted print data to the On-the-Go Print Queue; and

wherein the portable computing device includes a key for decryption recorded therein.

6.   The method as defined in claim 5, wherein the encrypting comprises:

encrypting with a session key; and

encrypting the session key using a public key.

7.   The method as defined in claim 5, wherein the encrypting is performed using a public key from a public key-private key pair; and wherein the key for decryption is the private key.

8.   The method as defined in claim 1, further comprising displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue.

9. The method as defined in claim 1, wherein the portable computing device is a smart card and wherein connecting the portable computing device to the printer comprises inserting the smart card into the printer.

10-15. (Canceled)

16. The method as defined in claim 1, further comprising, after accessing the On-the-Go Print Queue, displaying a list of jobs available for printing on a front panel display of the printer.

17. The method as defined in claim 1, further comprising, after accessing the On-the-Go Print Queue, displaying print parameter options on a front panel display of the printer.

18. (Canceled)

19. The method as defined in claim 16, further comprising reordering print jobs in the On-the-Go Print Queue with the printer front panel display.

20. The method as defined in claim 16, further comprising deleting a print job from the On-the-Go Print Queue with the printer front panel display.

21. The method as defined in claim 1, further comprising displaying account information on the cost of printing the print job on the printer front panel display.

22. The method as defined in claim 1, further comprising linking to an accounting system to bill/debit a user account for the cost of printing.

23. The method as defined in claim 22, wherein the accounting system computes a split of any proceeds from the billing/debiting among at least two other parties.

24. The method as defined in claim 1, wherein the accessing the On-the-Go Print Queue comprises providing a security ID that is separate from the portable computing device to the On-the-Go Print Queue to obtain access thereto.

25. The method as defined in claim 1, further comprising providing proof of printer authenticity to the On-the-Go Print Queue prior to the printer receiving the print data.

26. The method as defined in claim 1, further comprising validating the identity of a printer prior to the printer receiving the print data.

27-53. (Canceled)

54. A program product for mobile printing stored on computer-readable media, the program product comprising machine-readable program code for:

transferring print data to an On-the-Go Print Queue on the Internet for storage;

recording a reference to the On-the-Go Print Queue on a portable computing device;

reading with a printer the reference to the On-the-Go Print Queue from the portable computing device;

accessing the On-the-Go Print Queue with the printer; and

receiving with the printer the print data stored on the On-the-Go Print Queue to enable printing of the print data on the printer.

55. The program product as defined in claim 54, further comprising code for accessing the On-the-Go Print Queue to set at least one storage or print parameter.

56. (Original) The program product as defined in claim 55, wherein the parameter is the ordering or deletion of print jobs.

57. The program product as defined in claim 54, further comprising code for converting the print data to generic print data; and

wherein the transferring comprises transferring the generic print data to the On-the-Go Print Queue.

58. The program product as defined in claim 54, further comprising code for encrypting the print data; and

wherein the transferring comprises transferring the encrypted print data to the On-the-Go Print Queue; and

wherein the portable computing device includes a key for decryption recorded therein.

59.   The program product as defined in claim 58, wherein the encrypting comprises:

encrypting with a session key; and

encrypting the session key using a public key.

60.   The program product as defined in claim 58, wherein the encrypting is performed using a public key from a public key-private key pair; and wherein the key for decryption is the private key.

61.   The program product as defined in claim 54, further comprising code for displaying a message to the user if print data was successfully submitted to the On-the-Go Print Queue.

62.   The program product as defined in claim 54, wherein the portable computing device is a smart card configured for insertion into the printer.

63-66. (Canceled)

67.   The program product as defined in claim 54, further comprising code for displaying a list of jobs available for printing on a front panel display of the printer.

68.   The program product as defined in claim 54, further comprising code for displaying print parameter options on a front panel display of the printer.

69-70. (Canceled)

71.   The program product as defined in claim 54, further comprising code for providing proof of printer authenticity to the On-the-Go Print Queue.

72.   The program product as defined in claim 54, further comprising code for validating the identity of a printer.

73-92. (Canceled)

93.   A printer for facilitating mobile computing, comprising:

a component for accessing the Internet;

structure for reading a smart card and obtaining from the smart card a reference to an On-the-Go print queue on the Internet;

a component for accessing the On-the-Go print queue and downloading therefrom print data; and

structure for printing the print data.

94.   (Original) The printer as defined in claim 93, further comprising a decryption engine for decrypting the print data prior to printing.

95.   (Original) The printer as defined in claim 94, further comprising a component for accessing the smart card to obtain a decryption key in order to facilitate the decryption of the print data.

96.   (Original) The printer as defined in claim 94, further comprising a component for causing the smart card to decrypt a session key, and a decryption engine for decrypting the print data using the session key.

97.   The printer as defined in claim 93, further comprising a display screen and a component for displaying queued print jobs for a user in the display screen.

98.   The printer as defined in claim 97, further comprising a component for enabling reordering print jobs displayed in the display screen.

99-101. (Canceled)

Evidence Appendix under 37 C.F.R. § 41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. § 41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.